

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA )  
                                )  
                                )  
                                ) No. 2:19-cr-00013  
v.                             )  
                                )  
                                ) Chief Judge Crenshaw  
                                )  
GEORGIANNA A.M. GIAMPIETRO )

**GOVERNMENT'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME  
TO PRODUCE DISCOVERY MATERIALS**

The United States, through the United States Attorney for the Middle District of Tennessee, respectfully moves this Court for a two-week extension of time, from March 27, 2020, until April 10, 2020, to produce certain discovery materials to the defense in this case. In support of its request, the government sets forth as follows:

In an Order dated January 2, 2020, the Court directed the government to file a status report on the disclosure of all discovery to the defendant by noon on certain dates in 2020, the last of those dates being March 27, 2020. (Doc. 89.) The government has met, and continues to meet, those deadlines, by filing status reports with the Court and by providing the defense with discovery materials on a rolling basis.

As the Court is aware, however, the nation has in recent weeks been confronted with a global pandemic associated with the novel coronavirus known as COVID-19. (*See* Middle District of Tennessee Administrative Order No. 209, First Amendment.) In an effort to slow the spread of the coronavirus, the Centers for Disease Control and Prevention (the “CDC”) has continuously provided updated guidance as to appropriate community responses, including “social distancing” techniques intended to minimize the public’s exposure to infected individuals.

In accordance with that guidance, federal agencies, including the Federal Bureau of Investigation, have taken steps to minimize the spread of COVID-19. Those steps include reducing the number of personnel at FBI Headquarters in Washington, D.C., where much of the discovery in this case is being reviewed and redacted for purposes of disclosure. As a result, the government is able to devote fewer resources than it had previously planned and intended to devote to conducting the review necessary to disclose discovery materials to the defense in this case by the March 27, 2020 deadline.

Nevertheless, the government, at the present time, anticipates producing discovery in this case by the March 27, 2020, deadline, with one exception: the government does not anticipate completing redactions to the undercover videos taken in this case by the March 27, 2020 deadline.<sup>1</sup> Prior to disclosing copies of those videos to the defense, the government must obscure the face and voice of the undercover employee in this case, to protect methods used in counterterrorism investigations like this one. Obscuring these videos is a time-intensive process, in part because doing so requires the person making redactions to proceed frame-by-frame until the undercover's face and voice are completely obscured for the duration of the recording at issue. Additionally, and before the government can produce these materials (which total approximately 20 hours of recordings) to the defense, two units at FBI headquarters, along with personnel at the FBI field office in Nashville, must review the redacted recordings to ensure that they have been appropriately redacted before they can be produced.

Given the manpower deficiencies resulting from the COVID-19 pandemic, the government

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<sup>1</sup> Of course, the global pandemic related to COVID-19 is unprecedented in modern times, and may affect the government's ability to meet deadlines in this case in ways that the government has not yet anticipated. If there are additional developments related to COVID-19 which affect the government's ability to meet these deadlines, the government will notify the Court.

requests an additional two weeks, until April 10, 2020, to complete the redactions of these undercover recordings and disclose them to the defense. This brief extension of time will not prejudice the defendant, given that the government has already made audio recordings of these videos available for the defendant and her attorneys to review together, and given that the trial in this case is not scheduled to proceed until August 17, 2020.

Counsel for the defendant has no objection to the government's request.

Respectfully submitted,

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Dated: March 25, 2020

**CERTIFICATE OF SERVICE**

I hereby certify that on March 25, 2020, I electronically served one copy of the government's Motion for an Extension of Time to Produce Discovery Materials by using the CM/ECF system, which will send a Notice of Electronic Filing to counsel for defendant.

*s/Ben Schrader*  
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